

Online Workshop on Farm-saved seeds in PVP under the 1991 Act of the UPOV Convention 26 February, 2024

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Current Regulatory Framework relating with Farm Saved-Seeds System in Myanmar

1). New Plant Variety Protection Law (Plant Breeder Right) (Law [Article 27 \(b\) and \(c\)](#) and [Procedure 2\(g\)](#))

leader of leading body is Deputy Minister of MOALI

2). Seed Law (Seed Basicness) - [Article 31](#)

3). Protection of Farmers Rights and Enhancement of their Benefits Law, [Article 3 \(d\)](#) [Regulation Paragraph 3\(a\), 16 \(a\)](#), –

leader of leading body is Vice President with Union Level Personal from relevant Union Ministries

Key challenges: Farm saved seed related articles of these laws are not in line with each other. Poor internal readiness for laws enforcement due to lack of awareness among stakeholders.

Another challenges: Most of the farmers are uneducated and poor. So, lack of knowledge about benefits of planting of seeds and low investment for Agri-input including seeds.

Experiences: Seeds of Protected varieties have not yet been planted by farmers because implementation of PVP system in Myanmar is very beginning period. So, farmers can manage the seed they desire and most of the farmers still do not set apart between seed and grain.

PVP law,

Article 27 (b).Farmers shall not be considered that they infringe the breeder's right, if they use, for propagating purposes, on their own holdings, only for their home consumption, the product of the harvest which they have obtained by planting, on their own holdings, the protected variety or a variety covered by sub-section (a) or (b) of section 26 of this Law.

(c) Varieties of fruits, ornamentals, vegetables and forest plants are excluded from the exception under sub-section (b).

PVP Procedure,

Paragraph 2 (g) Acts done privately and for non-commercial purposes mean the production of a protected new plant variety of field crop on less than 5 acres, using the seeds obtained from previous cultivation for re-growing on less than 5 acres and using the products actually for home consumption in accordance with the notification and order issued by Central Committee occasionally."

Seed law,

Article 31. The provisions contained in this Law shall not apply to the following facts:

- (a) distribution and sale of seed produced by any peasant of himself to another peasant;
- (b) distribution and sale of fruit, flower, plant and parts of plant not for multiplication.

Farmers Law

Article 3 (d) to protect the rights of farmers possessing small plot and to enhance their benefits effectively.

Procedure of Farmers Law

Paragraph 3 (a) As a small plot -

In agriculture, agricultural land is defined as the agricultural area of 10 acres or less that has been registered and authorized.

Paragraph 16 (a) The related party shall –

To distribute the varieties and technologies suitable to the local water and soil nature to the farmers, seed production fields, sanctuaries, For the implementation of farmer education plantations, support and encouragement should be provided as necessary.

Thank you

